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DATE:	September 28, 2004	FROM:	Austin J. Foley <i>[Signature]</i>
TO:	EXAMINER GREGORY J. STRIMBU	RE:	PROPOSED AMENDMENT FOR APPLICATION NO. 10/062,302
COMPANY:	USPTO	WWR FILE NO.	1247 P 185
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## Message:

Transmitted herewith is a **PROPOSED** Amendment for discussion. Please do not enter this Amendment. We will call you to discuss. Thank you.

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Attorney Docket No. 1247 P 185  
/209640

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )

Jason L. Annes and Ralph Soles )

Application No. 10/062,302 )  
Confirmation No. 2560 )

Filed: February 1, 2002 )

For: Brake Shoe With Spring Brake Member )

Examiner: Gregory J. Strimbu

Art Unit: 3634

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**PROPOSED AMENDMENT - DO NOT ENTER !!****PROPOSED AMENDMENTS TO THE CLAIMS**

Claim 1 (Currently amended): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face of the slider body and having a side opening adjacent to the central opening;

a brake member comprising a spring having a tip at a distal end, the spring further having a curved braking surface adjacent the tip, the brake member mounted within the slider body such that the curved braking surface is adapted for reciprocal lateral movement through the side opening;

a cam positioned in the central opening;

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wherein the slider body receives and retains the brake member and the cam is rotatable in the central opening for laterally biasing the curved braking surface for movement through the side opening wherein the braking surface is adapted to frictionally engage one of the opposed side walls.

Claim 2 (Original): The brake assembly of claim 1 wherein the slider body further comprises a second side opening adjacent to the central opening and the brake member further comprises a second braking surface adapted for reciprocal lateral movement through the second side opening.

Claim 3 (Currently amended): The brake assembly of claim 1 wherein the spring further comprises an end portion having a first segment and a second segment, the first segment curving inwardly and the second segment curving outwardly, wherein the curved braking surface is located on the second segment.

Claim 4 (Currently amended): The brake assembly of claim 1 wherein the curved braking surface is serrated.

Claim 5 (Currently amended): The brake assembly of claim 1 wherein the curved braking surface has a plurality of serrations.

Claim 6 (Original): The brake assembly of claim 5 wherein the plurality of serrations comprises a pair of serrations.

Claim 7 (Original): The brake assembly of claim 5 wherein the plurality of serrations comprises three pair of serrations.

Claim 8 (Currently amended): The brake assembly of claim 1 wherein the curved braking surface has a frictional protuberance.

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Claim 9 (Original): The brake assembly of claim 1 wherein the slider body has a retaining tab adapted for holding the brake member within the slider body.

Claim 10 (Original): The brake assembly of claim 1 wherein the slider body has a lateral cross member and the spring has a base portion in close abutment with the lateral cross member.

Claim 11 (Original): The brake assembly of claim 10 further comprising a retaining tab on the lateral cross member for retaining the brake member in the slider body.

Claim 12 (Original): The brake assembly of claim 1 wherein the slider body has a plurality of retaining tabs for holding the brake member within the slider body.

Claim 13 (Original): The brake assembly of claim 1 wherein the cam has a nipple adapted to engage an end surface of the central opening for maintaining the cam within the slider body.

Claim 14 (Original): The brake assembly of claim 1 wherein the cam has an arcuate surface and a flat surface, the cam being adapted for cooperation between the arcuate surface and the flat surface with the brake member for said movement of the braking surface through the side openings.

Claim 15 (Original): The brake assembly of claim 14 wherein the cam is further adapted for cooperation between its arcuate surface and the spring for said movement of the braking surface through the side opening.

Claim 16 (Currently amended): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

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a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face of the slider body and having a side opening adjacent to the central opening;

a brake member comprising a spring having an end portion having a first segment and a second segment, the first segment curving inwardly and the second segment curving outwardly and having a curved braking surface thereon, the brake member mounted within the slider body such that the end portion is adapted for reciprocal lateral movement through the side opening;

a cam positioned in the central opening;

wherein the slider body is adapted to receive the brake member and the cam is adapted to be rotatable in the central opening for laterally biasing the end portion for movement through the side opening wherein the curved braking surface is adapted to frictionally engage one of the opposed side walls.

Claim 17 (Original): The brake assembly of claim 16 wherein the slider body further comprises a second side opening adjacent to the central opening and the brake member further comprises a second end portion, the second end portion also having a first segment and a second segment, the first segment of the second end portion curving inwardly and the second segment of the second end portion curving outwardly, a second braking surface located on the second segment of the second end portion, wherein the cam is adapted for laterally biasing the second end portion for movement through the side opening for frictional engagement of the second braking surface with one of the opposed side walls.

Claim 18 (Currently amended): The brake assembly of claim 17 wherein the curved braking surface is serrated.

Claim 19 (Currently amended): The brake assembly of claim 17 wherein the curved braking surface has a plurality of serrations.

Claim 20 (Original): The brake assembly of claim 19 wherein the plurality of serrations comprises a pair of serrations.

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Claim 21 (Original): The brake assembly of claim 19 wherein the plurality of serrations comprises three pair of serrations.

Claim 22 (Currently amended): The brake assembly of claim 16 wherein the curved braking surface has a frictional protuberance.

Claim 23 (Original): The brake assembly of claim 16 wherein the slider body has a retaining tab adapted for holding the brake member within the slider body.

Claim 24 (Original): The brake assembly of claim 16 wherein the slider body has a plurality of retaining tabs adapted for holding the brake member within the slider body.

Claim 25 (Original): The brake assembly of claim 16 wherein the cam has a nipple adapted to engage an end surface of the central opening for maintaining the cam within the slider body.

Claim 26 (Original): The brake assembly of claim 16 wherein the cam has an arcuate surface and a flat, the cam being adapted for cooperation between the arcuate surface and the flat with the end portion for said movement of the braking surface through the side opening.

Claim 27 (Currently amended): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face of the slider body and having a pair of side openings adjacent to the central opening;

a brake member comprising a spring having a pair of distal ends, a tip at each distal end and a convex braking surface adjacent the tip at each distal end, the brake member mounted

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within the slider body such that each convex braking surface is adapted for reciprocal lateral movement through a respective side opening;

a cam positioned in the central opening;

wherein the slider body receives and retains the brake member and the cam is rotatable in the central opening wherein the convex braking surfaces are adapted to frictionally engage respective opposed side walls.

Claim 28 (Original): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face of the slider body and having a pair of side openings adjacent to the central opening;

a brake member comprising a spring having a base portion and two end portions, each end portion having a first segment curving inwardly and a second segment curving outwardly and having a convex outer surface, each end portion having a braking surface located on the convex outer surface of the second segment with each braking surface having a plurality of serrations thereon extending from the second segment, the brake member mounted within the slider body such that one of the respective braking surfaces is adapted for reciprocal lateral movement through a respective side opening;

a cam positioned in the central opening;

wherein the slider body receives and retains the brake member and the cam is rotatable in the central opening for laterally biasing the braking surfaces for movement through respective side openings wherein the braking surfaces are adapted to frictionally engage respective opposed side walls.

Claim 29 (Withdrawn): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

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a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face and having a pair of side openings adjacent to the central opening;

a brake member comprising a pair of brake pads connected by a flexibly resilient member, the brake member mounted within the slider body such that one brake pad each is adapted for reciprocal lateral movement through a respective side opening, the brake member mounted within the slider body such that one of the respective braking surfaces is adapted for reciprocal lateral movement through a respective side opening;

a cam positioned in the central opening;

wherein the slider body receives and retains the brake member and the cam is rotatable in the central opening for laterally biasing the brake pads for movement through respective side openings wherein the brake pads are adapted to frictionally engage respective opposed side walls.

Claim 30 (Withdrawn): The brake assembly of claim 29 further comprising:

a frictional groove located on each brake pad for said frictional engagement with respective opposed side walls.

Claim 31 (Withdrawn): A brake member for a brake assembly having a slider body with a pair of side openings for locking a slidable sash window within a track of a frame, the brake member comprising:

a spring having a base portion and two end portions, each end portion having a first segment curving inwardly and a second segment curving outwardly and having a convex outer surface, each end portion having a braking surface located on the second segment with each braking surface having a plurality of serrations thereon extending from the second segment;

wherein the brake member is adapted to be mounted within the slider body such that one of the respective braking surfaces is adapted for reciprocal lateral movement through a respective side opening.



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Claim 32 (Withdrawn): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face and having a side opening adjacent to the central opening;

a brake member comprising a spring having an end portion having a first segment curving inwardly and a second segment having a braking surface, the brake member mounted within the slider body such that the braking surface is adapted for reciprocal lateral movement through the side opening;

a cam positioned in the central opening, the cam having a concave surface receiving the first segment;

wherein cam is rotatable in the central opening to engage the first segment for laterally biasing the braking surface for movement through the side opening, wherein the braking surface is adapted to frictionally engage one of the opposed side walls.

Claim 33 (Withdrawn): The brake assembly of claim 32 further comprising:

a second side opening adjacent to the central opening of the slider body;

a second end portion of the brake member having a first segment curving inwardly and a second segment having a braking surface; and

a second concave surface of the cam receiving the first segment of the second end portion of the brake member;

wherein the cam is rotatable in the central opening to engage the first segment of the second end portion of the brake member for laterally biasing the braking surface of the second end portion of the brake member through the second side opening.

Claim 34 (Withdrawn): A cam for a brake assembly for locking a slidable sash window within a track of a frame, the assembly including a slider body with a central opening for rotatably supporting the cam, a brake member associated with the slider body and further including a pivot pin, the cam comprising:

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a generally cylindrical body having an axial slot adapted to receive the pivot pin, the body having a portion having an outer peripheral surface with an arcuate surface and a concave surface;

wherein the cam is adapted to be mounted within the central opening and wherein the concave surface is adapted to receive a portion of the brake member.

Claim 35 (Withdrawn): A cam for a brake assembly for locking a slidable sash window within a track of a frame, the assembly including a slider body with a central opening for rotatably supporting the cam, a brake member associated with the slider body and further including a pivot pin, the cam comprising:

a generally cylindrical body having an axial slot adapted to receive the pivot pin, the body having a portion having an outer peripheral surface with a pair of opposed arcuate surfaces and a pair of opposed concave surfaces;

wherein the cam is adapted to be mounted within the central opening and wherein the concave surfaces are each adapted to receive a respective portion of the brake member.

Claim 36 (Original): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face of the slider body and having a side opening adjacent to the central opening;

a brake member comprising a spring having a base portion and an end portion, the end portion having a first segment curving inwardly and a second segment curving outwardly and having a convex outer surface, the end portion further having a braking surface located on the convex outer surface of the second segment with the braking surface having a plurality of serrations thereon extending from the second segment, the brake member mounted within the slider body such that the braking surface is adapted for reciprocal lateral movement through the side opening;

a cam positioned in the central opening;

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wherein the slider body receives and retains the brake member and the cam is rotatable in the central opening for laterally biasing the braking surface for movement through the side opening wherein the braking surface is adapted to frictionally engage one of the opposed side walls.

Claim 37 (Currently amended): A brake assembly for locking a slidable sash window within a track of a frame, the track having a pair of spaced apart, opposed sidewalls, the assembly comprising:

a slider body adapted for slidable motion within the track, the slider body having a central opening extending from a front face to a rear face of the slider body and having a side opening adjacent to the central opening;

a brake member comprising a spring having a curvilinear surface including a convex braking surface, the brake member mounted within the slider body such that the convex braking surface is adapted for reciprocal lateral movement through the side opening;

a cam positioned in the central opening;

wherein the slider body receives and retains the brake member and the cam is rotatable in the central opening for laterally biasing the convex braking surface for movement through the side opening wherein the braking surface is adapted to frictionally engage one of the opposed side walls.

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